



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mario Visca

Attorney Docket No: 108910-00046

Serial Number: 09/995,673

Group Art Unit: 1714

Filed: November 29, 2001

Examiner: Cephia D Toomer

For: METHOD FOR REMOVING WATER FROM SURFACES

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### Preliminary Remarks

Commissioner for Patents  
Washington, D.C. 20231

Date: August 27, 2003

Sir:

Prior to initial examination of the above-identified application, Applicants respectfully request consideration of the below remarks.

Claims 1-14 are pending. Claims 1-14 are rejected.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Strepparola et al. (U.S. Patent No. 5,980,642) ("642 Patent"). Claims 1-14 are also rejected under 35 U.S.C. 102(e) as being anticipated by Strepparola et al. (U.S. Patent No. 6,096,240) ("240 Patent") (collectively referred to herein as the "Strepparola references").

The Examiner contends that Strepparola references teach a method for removal of water from surfaces by applying an additive composition and skimming the surface to remove the water. The Examiner contends that the Strepparola references teach the present invention in that the perfluoropolyethers having molecular weight of 300-1500 and the fluoropolyether part of A) having molecular weight of 500-1200 of Strepparola comprises the instant ranges, and thus satisfy the instant K<sup>1</sup> ratio.

Applicant respectfully traverses the Examiner's anticipation rejections. Applicant contends that not all compounds A) containing Cl atoms and the compounds B) of Strepparola having the molecular weight in the above-mentioned ranges satisfy the K<sup>1</sup>. This is illustrated in comparative example 5. The instant K<sup>1</sup> is not satisfied since it is not

higher than 1.6 ( $K^I=1.33$ ) even if the compounds contain A) containing Cl, which are encompassed by Strepparola in that it has the molecular weight of the fluoropolyether part included in the range of 500-1200 of Strepparola, (precisely about 550), and the perfluoropolyether B) having a molecular weight of about 450 is the same perfluoropolyether of Strepparola disclosed by example 1 (column 4, lines 41-44). In other words, as a consequence of the above low value  $K^I$ , the removal of water is not affected by the composition of comparative example 5, notwithstanding the molecular weights of the perfluoropolyether B) and the fluoropolyether part of A) fall within the Strepparola ranges.

It is apparent from the instant working example 6 that when compound A) contains the Cl and the compound B) satisfy the  $K^I$  ratio, i.e., higher than 1.6, the removal of water is successful.

Applicant also contends that it is clear that Strepparola does not disclose or suggest that in order to have an effective removal of water when using compounds A) containing the Cl atom in the end group, it has to be satisfied the using the instant  $K^I$  ratio in combination with the other parameter K already disclosed by Strepparola.

Unlike the present invention, the Strepparola references do not disclose that when the fluorinated terminal end of compound A contains Cl, the  $K^I$  must be satisfied in order to have removal of water. Strepparola does not consider the  $K^I$  as in claim 1 of the present invention. In fact, Strepparola only considers K as the essential feature for removing water successfully. And, Applicant has shown in comparative example 5 that the K is not sufficient to have the removal of water when the compound A contains the Cl atom in the fluorinated terminal end.

Applicant argues that the present claims are novel over the Strepparola references because they contain the essential feature  $K^I$ , which is not explicitly or implicitly disclosed in the references. Based on this argument, Applicant contends the Strepparola references do not disclose or suggest the present invention. Accordingly, Applicant respectfully requests that a Notice of Allowance be granted.

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of claims 1-14, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 108910-00046**.

Respectfully submitted,  
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